

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 JOHN DAVID PAMPLIN,

5 Plaintiff,

6 v.

7 WARDEN BAKER, *et al.*,

8 Defendants.
9

Case No. 3:16-CV-00745-MMD-CLB

ORDER TO SUBSTITUTE

[ECF No. 143]

10 Defendants entered a suggestion of death on the record as to Defendant Gregory
11 Martin. (ECF No. 143). Pursuant to Federal Rule of Civil Procedure 25(a)(1), "[i]f a party
12 dies and the claim is not extinguished, the court may order substitution of the proper party.
13 A motion for substitution may be made by any party or by the decedent's successor or
14 representative. If the motion is not made within 90 days after service of a statement noting
15 the death, the action by or against the decedent must be dismissed." Fed. R. Civ. P.
16 25(a)(1). Therefore, if a motion for substitution by the decedent's successor or
17 representative is not filed on or before **Thursday, November 16, 2023**, Defendant
18 Gregory Martin must be dismissed from this action.

19 **IT IS SO ORDERED.**

20 **DATED:** August 18, 2023 .

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22 **UNITED STATES MAGISTRATE JUDGE**
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